



CITY COUNCIL REGULAR MEETING CITY OF BAY CITY

Tuesday, June 23, 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

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."*

Councilwoman Julie Estlinbaum

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.

Councilwoman Julie Estlinbaum

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. SPECIAL CALLED MEETING MINUTES OF JUNE 1, 2020
2. REGULAR COUNCIL MEETING MINUTES OF JUNE 9, 2020

REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND/OR APPROVAL

- 3. RECEIVE A REPORT FROM WCA ON THE SANITATION OPERATIONS IN THE CITY OF BAY CITY AND DISCUSS, CONSIDER AND/OR APPROVE WCA'S CPI RATE INCREASE REQUEST PURSUANT TO THE SOLID WASTE CONTRACT WITH WCA.**

Krystal Mason, Code Compliance Officer

- 4. UPDATE ON THE HHW SOLUTIONS (E-Waste)**

Krystal Mason, Code Compliance Officer

- 5. UPDATE ON THE LOWER COLORADO RIVER FPP STUDY (INUNDATION STUDY)**

Eric Schiebe, Schiebe Engineering

- 6. DISCUSS, CONSIDER, AND/OR APPROVE THE AUTHORIZATION TO ISSUE REQUESTS FOR PROPOSALS (rfp) FOR ADMINISTRATIVE SERVICES AND REQUESTS FOR QUALIFICATIONS (rfq) FOR ENGINEERING SERVICES RELATED TO THE COMMUNITY DEVELOPMENT BLOCK GRANT-MITIGATION (CDBG-MIT) GRANT PROGRAMS ADMINISTERED BY THE TEXAS GENERAL LAND OFFICE (GLO).**

Alyssa Dibbern, Engineering Tech

- 7. DISCUSS, CONSIDER, AND/OR APPROVE DESIGNATING AN ADMINISTRATION SERVICE PROVIDER FOR THE 2020 TEXAS CAPITAL FUND DOWNTOWN REVITALIZATION/MAIN STREET PROGRAM OF THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT (TXCDBG) PROGRAM FOR APPLICATION AND PROJECT IMPLEMENTATION.**

Alyssa Dibbern, Engineering Tech

- 8. DISCUSS, CONSIDER , OR TAKE ACTION ON THE VISION 2040 PLANNING DOCUMENT, "BAY CITY WORKS"**

Shawna Burkhart, City Manager

- 9. DISCUSS, CONSIDER, AND/OR ADOPT A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BAY CITY, TEXAS REQUESTING FINANCIAL ASSISTANCE FROM THE TEXAS WATER DEVELOPMENT BOARD UNDER ELIGIBLE PROGRAMS, INCLUDING THE DRINKING WATER STATE REVOLVING FUND.**

Barry Calhoun, Public Works Director

- 10. DISCUSS, CONSIDER, AND/OR ADOPT A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BAY CITY, TEXAS REQUESTING FINANCIAL ASSISTANCE FROM THE TEXAS WATER DEVELOPMENT BOARD UNDER ELIGIBLE PROGRAMS, INCLUDING THE CLEAN WATER STATE REVOLVING FUND.**

Barry Calhoun, Public Works Director

11. DISCUSS, CONSIDER, AND/OR ADOPT A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BAY CITY, TEXAS EXPRESSING INTENT TO FINANCE EXPENDITURES TO BE INCURRED; AND APPROVING OTHER MATTERS INCIDENTAL THERETO.

Barry Calhoun, Public Works Director

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

CITY OF BAY CITY

MINUTES • JUNE 01, 2020

COUNCIL
CHAMBERS | 1901
5th Street

City Council Special Call Meeting

5:00 PM

1901 5TH STREET
BAY CITY TX, 77414



Mayor

Robert K. Nelson

Councilman

William Cornman

Mayor Pro Tem

Jason W. Childers

Councilman

Brent P. Marceaux

Councilwoman

Becca Sitz

Councilwoman

Julie Estlinbaum

Bay City is committed to developing and enhancing the long-term prosperity, sustainability, and health of the community.

CALL TO ORDER

5:04 Mayor Robert K. Nelson called the meeting to order.

CERTIFICATION OF QUORUM**APPROVAL OF AGENDA****REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND/OR APPROVAL****DISCUSS, CONSIDER AND/OR APPROVE IDENTIFYING FUNDING FOR TXDOT TAXIWAY IMPROVEMENT PROJECT.**

(Shawna Burkhart, City Manager)

Discussed funding and removing A row hangers from previous project to allocate those funds to TXDOT grant match. In 2021 and 2022, City will need to fund \$100,000 and in 2022 CDC has agreed to assist with another \$100,000.

ADJOURNMENT**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 29, 2020 before 5:00 p.m.** Any questions concerning the above items, please contact Mayor Robert K. Nelson at (979) 245-2137.

AGENDA NOTICESAction 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.

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 for further information.

PASSED AND APPROVED, this _____ day of _____, 20_____.

ROBERT K. NELSON, MAYOR
CITY OF BAY CITY, TEXAS

JEANNA THOMPSON
CITY SECRETARY

CITY OF BAY CITY

MINUTES • JUNE 09, 2020

**COUNCIL
CHAMBERS | 1901
5th Street**

City Council Regular Meeting

6:00 PM

1901 5TH STREET
BAY CITY TX, 77414



Mayor

Robert K. Nelson

Councilman

William Cornman

Mayor Pro Tem

Jason W. Childers

Councilman

Brent P. Marceaux

Councilwoman

Becca Sitz

Councilwoman

Julie Estlinbaum

Bay City is committed to developing and enhancing the long-term prosperity, sustainability, and health of the community.

CALL TO ORDER

Meeting called 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."*

(Mayor Pro Tem Jason Childers)

Mayor pro Tem Jason Childers lead the invocation and pledge.

CERTIFICATION OF QUORUM**PRESENT**

Mayor Robert K. Nelson
Mayor Pro Tem Jason W. Childers
Councilman William Cornman
Councilman Brent P. Marceaux
Councilwoman Becca Sitz
Councilwoman Julie Estlinbaum

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

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)

Mayor Pro Tem Jason Childers read the Mission Statement

APPROVAL OF AGENDA

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

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

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

1. **APPROVE THE APPOINTMENT OF JEANETTE BELL AND ROBERT KNOX TO THE BAY CITY COMMUNITY DEVELOPMENT BOARD.**
(Robert K. Nelson, Mayor)
2. **APPOINTMENT OF TROY HALFMAN TO MAINSTREET BOARD.**
(Robert K. Nelson, Mayor)
3. **May 12, 2020 Work Shop Minutes Approval**
4. **May 12, 2020 Regular Council Meeting Minutes Approval**
5. **May 26, 2020 Work Shop Meeting Minutes Approval**
6. **May 26, 2020 Regular Council Meeting Minutes Approval**

REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND/OR APPROVAL

7. **RECEIVE AND DISCUSS UPDATES OF THE ONGOING TOURISM COUNCIL.**

(Heidi Martinez, Tourism Manager)

Heidi Martinez gave a report highlighting current plans and activities. The phases of opening up have restrictions placed by the Governor due to COVID-19.

8. **RECEIVE SPECIAL RECOGNITION FROM THE HOUSTON-GALVESTON AREA COUNCIL (H-GAC) PARKS AND NATURAL AREA AWARDS IN THE PROJECTS LESS THAN \$500,000 CATEGORY, THE BAY CITY PARKS AND RECREATION DREAMSCAPE.**

(Shawn Blackburn, Director of Parks and Recreation)

Shawn Blackburn presented the award received from HGAC for the Dreamscape playground at LeTulle Park. Councilman Marceaux added that the community feed back has been 100% positive. Shawna Burkhart, City Manager, added that there was an article in Parks & Recreation Magazine highlighting the Dreamscape playground at LeTulle. It was noted that Community Development contributed \$150,000 towards the project.

9. PRESENTATION OF 2019 TEXAS MUNICIPAL LIBRARY DIRECTORS ASSOCIATION (TMLDA) ACHIEVEMENT IN LIBRARY EXCELLENCE AWARD.

(Samantha Denbow, Library Director)

Samantha Denbow presented the achievement award received by TMLDA. Recipients of the award must exceed in ten areas.

10. DISCUSS, CONSIDER, AND/OR REJECT THE CONSTRUCTION BID FOR THE MISCELLANEOUS CONCRETE REPAIRS TO HLAVINKA CONSTRUCTION COMPANY AND AWARD THE CONSTRUCTION BID FOR THE MISCELLANEOUS CONCRETE REPAIRS TO 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 ZACHERY PHILLIPS, INC.

(Barry Calhoun, Public Works Director)

Lowest bidder awarded during the May 12th Council meeting has withdrawn their bid. Bringing this item back to Council to consider the next lowest bidder.

Motion made by Councilman Cornman.

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

11. 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)

Motion made by Mayor Pro Tem Childers, Seconded by Councilwoman Estlinbaum.

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

12. DISCUSS AND TAKE ACTION TO REJECT BIDS RECEIVED ON "A" AND "E" HANGERS, AND CALL FOR BID FOR CONSTRUCTION FOR "E" HANGER ONLY.

(James Mason, Airport Manager)

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

13. DISCUSS, CONSIDER AND/OR APPROVE REGIONAL DRAINAGE STUDY ENGINEERING SERVICES AND FUNDING SOURCES IN THE AMOUNT OF \$306,000.

(Alyssa Dibbern, Engineering Tech)

Drainage study consists of eight tasks. Councilman Cornman asked who will be leading the project, Community Development Director or Major. Councilman also asked if Jones & Carter is coordinating with other groups working on river flooding. Councilman Marceaux asked about remaining funding issues. CDC Director replied that the County Commissioners have not yet committed. Council agreed on \$53,000 but not to exceed. Councilman Cornman asked that the CDC Director and the City Manager put together a plan that states who is responsible for what. City Attorney, Anne Marie Odefey, recommends an interlocal agreement.

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

14. UPDATE ON IMPROVEMENTS ON THE COTTONWOOD CREEK DIVERSION CHANNEL.

(Matt Breazeale, Jones & Carter Engr)

Update from Jones & Carter that the structural engineer is on board, debris screen easier to clean, surveyors out in two weeks. They are three months from construction and should be completed by February 2022.

15. DISCUSS, CONSIDER AND/OR APPROVE AN ORDINANCE AMENDING SECTION 6.11 THE CITY OF BAY CITY PERSONNEL GUIDELINES TO BE EFFECTIVE IMMEDIATELY.

(Shawna Burkhart, City Manager)

Motion made by Councilwoman Estlinbaum, Seconded by Councilwoman Sitz.

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

16. DISCUSS, CONSIDER, AND/OR APPROVE HARRISON, WALDROP, AND UHEREK, L.L.P. TO PROVIDE AUDIT SERVICES FOR THE CITY OF BAY CITY FOR THE YEAR ENDING SEPTEMBER 30, 2020.

(Scotty Jones, Finance Director)

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

ITEMS / COMMENTS & MAYOR AND COUNCIL MEMBERS

City Manager, Shawna Burkhart, informed Council that there will be two budget workshops next week. Council discussed time and 3:00 p.m. was agreed on.

ADJOURNMENT

Meeting adjourned at 7:15 p.m.

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

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 **Wednesday, June 3, 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 for further information.

PASSED AND APPROVED, this ____ day of _____, 20__.

ROBERT K. NELSON, MAYOR
CITY OF BAY CITY, TEXAS

JEANNA THOMPSON
CITY SECRETARY



CITY OF BAY CITY
1901 FIFTH STREET
BAY CITY, TEXAS 77414
(979) 245-2137
FAX: (979) 323-1626

AGENDA ITEM SUBMISSION FORM

Any item(s) to be considered for action by the City Council, must be included on this form, and be submitted along with any supporting documentation. Completed Agenda Item Submission forms must be submitted to the City Secretary's Office no later than 4:00 p.m. on the Monday of the week prior to the Regular Council meeting.

Requestor Name: Mason, Krystal **Date Submitted:** 06/16/2020
Last, First *MM/DD/YYYY*

Requestor Type: City Staff **Meeting Date:** 06/23/2020
Citizen/City Staff/Council Member *MM/DD/YYYY*

Position Title Code Compliance Officer
For City Staff Only

Agenda Location: Discussion Item
(e.g.: Consent Agenda/ Discussion Item/ Public Hearing/ Executive Session/ Presentation)

Agenda Content:

RECEIVE A REPORT FROM WCA ON THE SANITATION OPERATIONS IN THE CITY OF BAY CITY AND DISCUSS, CONSIDER AND/OR APPROVE WCA'S CPI RATE INCREASE REQUEST PURSUANT TO THE SOLID WASTE CONTRACT WITH WCA.

Executive Summary of Item:

City Staff and WCA will provide an update on the sanitation operations in the City of Bay City to include challenges faced during COVID-19. In addition, WCA representatives will discuss the annual CPI rate increase request pursuant to the Solid Waste contract with WCA.



CITY OF BAY CITY
1901 FIFTH STREET
BAY CITY, TEXAS 77414
(979) 245-2137
FAX: (979) 323-1626

AGENDA ITEM SUBMISSION FORM

Any item(s) to be considered for action by the City Council, must be included on this form, and be submitted along with any supporting documentation. Completed Agenda Item Submission forms must be submitted to the City Secretary's Office no later than 4:00 p.m. on the Monday of the week prior to the Regular Council meeting.

Requestor Name: Dibbern, Alyssa **Date Submitted:** 06/15/2020
Last, First *MM/DD/YYYY*

Requestor Type: City Staff **Meeting Date:** 06/23/2020
Citizen/City Staff/Council Member *MM/DD/YYYY*

Position Title Engineering Tech – Public Works
For City Staff Only

Agenda Location: Discussion Item
(e.g.: Consent Agenda/ Discussion Item/ Public Hearing/ Executive Session/ Presentation)

Agenda Content:

DISCUSS, CONSIDER, AND/OR APPROVE THE AUTHORIZATION TO ISSUE REQUESTS FOR PROPOSALS (RFP) FOR ADMINISTRATIVE SERVICES AND REQUESTS FOR QUALIFICATIONS (RFQ) FOR ENGINEERING SERVICES RELATED TO THE COMMUNITY DEVELOPMENT BLOCK GRANT-MITIGATION (CDBG-MIT) GRANT PROGRAMS ADMINISTERED BY THE TEXAS GENERAL LAND OFFICE (GLO).

Executive Summary of Item:

GLO is administering over \$4.2 billion in CDGB-MIT funds for communities declared in the 2015; 2016 and/or Harvey disasters. This CDBG GLO grant is for Mitigation with the objective of addressing current and future risk areas. Bay City is eligible for the HARVEY HUD Mid Program.



CITY OF BAY CITY
1901 FIFTH STREET
BAY CITY, TEXAS 77414
(979) 245-2137
FAX: (979) 323-1626

AGENDA ITEM SUBMISSION FORM

Any item(s) to be considered for action by the City Council, must be included on this form, and be submitted along with any supporting documentation. Completed Agenda Item Submission forms must be submitted to the City Secretary's Office no later than 4:00 p.m. on the Monday of the week prior to the Regular Council meeting.

Requestor Name: Dibbern, Alyssa **Date Submitted:** 06/19/2020
Last, First *MM/DD/YYYY*

Requestor Type: City Staff **Meeting Date:** 06/23/2020
Citizen/City Staff/Council Member *MM/DD/YYYY*

Position Title Engineering Tech – Public Works
For City Staff Only

Agenda Location: Discussion Item
(e.g.: Consent Agenda/ Discussion Item/ Public Hearing/ Executive Session/ Presentation)

Agenda Content:

DISCUSS, CONSIDER, AND/OR APPROVE DESIGNATING AN ADMINISTRATION SERVICE PROVIDER FOR THE 2020 TEXAS CAPITAL FUND DOWNTOWN REVITALIZATION/MAIN STREET PROGRAM OF THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT (TXCDBG) PROGRAM FOR APPLICATION AND PROJECT IMPLEMENTATION.

Executive Summary of Item:

The City of Bay City intends to apply for grant funding under the 2020 Texas Capital Fund Downtown Revitalization / Main Street Fund (DRP / MS) Grant Program. This agenda item is to select a grant administrator to aid the submission of the grant application and implementation of the project. Once administrative services have been selected the City will move forward with selecting an engineer. The Bay City Community Development Corporation has indicated participation of the grant matching funds.



CITY OF BAY CITY
1901 FIFTH STREET
BAY CITY, TEXAS 77414
(979) 245-2137
FAX: (979) 323-1626

AGENDA ITEM SUBMISSION FORM

Any item(s) to be considered for action by the City Council, must be included on this form, and be submitted along with any supporting documentation. Completed Agenda Item Submission forms must be submitted to the City Secretary's Office no later than 4:00 p.m. on the Monday of the week prior to the Regular Council meeting.

Requestor Name: Calhoun, Barry **Date Submitted:** 06/18/2020
Last, First *MM/DD/YYYY*

Requestor Type : City Staff **Meeting Date:** 06/23/2020
Citizen/City Staff/Council Member *MM/DD/YYYY*

Position Title Director of Public Works
For City Staff Only

Agenda Location: Resolution
(e.g.: Consent Agenda/ Discussion Item/ Public Hearing/ Executive Session/ Presentation)

Agenda Content:

DISCUSS, CONSIDER, AND/OR ADOPT A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BAY CITY, TEXAS REQUESTING FINANCIAL ASSISTANCE FROM THE TEXAS WATER DEVELOPMENT BOARD UNDER ELIGIBLE PROGRAMS, INCLUDING THE DRINKING WATER STATE REVOLVING FUND.

Executive Summary of Item:

The Drinking Water State Revolving Fund, authorized by the Safe Drinking Water Act, provides low-cost financial assistance for planning, acquisition, design, and construction of water infrastructure. Eligible applicants for the DWSRF include publicly and privately-owned community water systems, including nonprofit water supply corporations and nonprofit, non-community public water systems.

The City of Bay City will be submitting an application to the Texas Water Development Board (TWDB) to assist with obtaining funding in an effort to make critical improvements to the City's water systems. These improvements will include upgrades to our existing water plants, water distribution system and new water plants.

The Public Works Department along with Garver Engineering has been working together to analyze the total efficiency of the City's water systems to determine what improvements are necessary. Once collection of all the necessary supporting documentation is complete, we will proceed with submitting the application to the TWDB for approval of funding assistance. Once the application is received by TWDB, it will be reviewed over a 90-day period at which time the City will receive notification of their decision. The amount the City is applying for is \$20,330,000.

It is staff's recommendation to adopt this resolution so the City can move forward with submitting an application to the TWDB.

RESOLUTION NO. R-2020-_____

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BAY CITY, TEXAS REQUESTING FINANCIAL ASSISTANCE FROM THE TEXAS WATER DEVELOPMENT BOARD UNDER ELIGIBLE PROGRAMS, INCLUDING THE DRINKING WATER STATE REVOLVING FUND

THE STATE OF TEXAS §
COUNTY OF MATAGORDA §
CITY OF BAY CITY §

WHEREAS, the City Council of the City of Bay City, Texas (the "City") hereby finds and determines that there is a need for the City to apply for financial assistance from the Texas Water Development Board (the "TWDB"); and

WHEREAS, the City Council of the City desires to authorize the submission of an application for financial assistance to the TWDB under one or more programs for which it would be eligible to receive funding, including particularly the Drinking Water State Revolving Fund;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BAY CITY, TEXAS, THAT:

Section 1. An application is hereby approved and authorized to be filed with the TWDB seeking financial assistance in an amount not to exceed \$20,330,000 to provide for eligible costs for improvements to and the equipment of the City's water system, including (i) the design, construction, and equipment of two water plants, including water wells, ground storage tanks, hydropneumatic tanks, booster pump stations, disinfection equipment, and related infrastructure and equipment, (ii) the design, construction, and equipment of water transmission lines, (ii) design, construction, rehabilitation, replacement, and equipment of water lines and other water infrastructure, (iv) design, construction, rehabilitation, replacement, and equipment of existing water treatment plants and related infrastructure, and (v) the costs of issuance related to the financial assistance.

Section 2. Shawna Burkhart, City Manager, and Scotty Jones, Finance Director, are hereby designated the authorized representatives of the City for purposes of furnishing such information, executing such documents, and making such appearances as may be required in connection with the preparation and filing of such application for financial assistance and with complying with the rules of the TWDB.

Section 3. The following firms and individuals are hereby authorized and directed to aid and assist in the preparation and submission of such application and appear on behalf of and represent the City before any hearings held by the TWDB on such application, to-wit:

Financial Advisor
James Gilley
U.S. Capital Advisors LLC
300 W. 6th Street, Suite 1900
Austin, TX 78701
512.813.1110

Bond Counsel
Jonathan K. Frels
Paige H. Abernathy
Bracewell LLP
711 Louisiana Street Suite 2300
Houston, TX 77002
713.221.1599

Engineer
Daniel N. Olson, P.E.
Garver, LLC
12141 Wickchester Lane
Suite 200
Houston, TX 77079
713.395.4277

PASSED AND APPROVED this 23rd day of June, 2020.

The Honorable Robert K. Nelson, Mayor,
City of Bay City, Texas

ATTEST:

Jeanna Thompson, City Secretary
City of Bay City, Texas

[SEAL]



CITY OF BAY CITY
1901 FIFTH STREET
BAY CITY, TEXAS 77414
(979) 245-2137
FAX: (979) 323-1626

AGENDA ITEM SUBMISSION FORM

Any item(s) to be considered for action by the City Council, must be included on this form, and be submitted along with any supporting documentation. Completed Agenda Item Submission forms must be submitted to the City Secretary's Office no later than 4:00 p.m. on the Monday of the week prior to the Regular Council meeting.

Requestor Name: Calhoun, Barry **Date Submitted:** 06/18/2020
Last, First *MM/DD/YYYY*

Requestor Type : City Staff **Meeting Date:** 06/23/2020
Citizen/City Staff/Council Member *MM/DD/YYYY*

Position Title Director of Public Works
For City Staff Only

Agenda Location: Resolution
(e.g.: Consent Agenda/ Discussion Item/ Public Hearing/ Executive Session/ Presentation)

Agenda Content:

DISCUSS, CONSIDER, AND/OR ADOPT A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BAY CITY, TEXAS REQUESTING FINANCIAL ASSISTANCE FROM THE TEXAS WATER DEVELOPMENT BOARD UNDER ELIGIBLE PROGRAMS, INCLUDING THE CLEAN WATER STATE REVOLVING FUND.

Executive Summary of Item:

The Clean Water State Revolving Fund, authorized by the Clean Water Act, provides low-cost financial assistance for planning, acquisition, design, and construction of wastewater, reuse, and stormwater infrastructure. Eligible applicants for the CWSRF include cities, counties, districts, river authorities, designated management agencies, authorized Indian tribal organizations, and public and private entities proposing nonpoint source or estuary management projects

The City of Bay City will be submitting an application to the Texas Water Development Board (TWDB) to assist with obtaining funding in an effort to make critical improvements to the City's wastewater systems. These improvements will include upgrades to our existing wastewater treatment plant, wastewater lift stations, and wastewater collection system.

The Public Works Department along with Garver Engineering has been working together to analyze the total efficiency of the City's wastewater system to determine what improvements are necessary. Once collection of all the necessary supporting documentation is complete, we will proceed with submitting the application to the TWDB for approval of funding assistance. Once the application is received by TWDB, it will be reviewed over a 90-day period at which time the City will receive notification of their decision. The amount the City is applying for is \$36,400,000.

It is staff's recommendation to adopt this resolution so the City can move forward with submitting an application to the TWDB.

RESOLUTION NO. R-2020-_____

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BAY CITY, TEXAS REQUESTING FINANCIAL ASSISTANCE FROM THE TEXAS WATER DEVELOPMENT BOARD UNDER ELIGIBLE PROGRAMS, INCLUDING THE CLEAN WATER STATE REVOLVING FUND

THE STATE OF TEXAS §
COUNTY OF MATAGORDA §
CITY OF BAY CITY §

WHEREAS, the City Council of the City of Bay City, Texas (the "City") hereby finds and determines that there is a need for the City to apply for financial assistance from the Texas Water Development Board (the "TWDB"); and

WHEREAS, the City Council of the City desires to authorize the submission of an application for financial assistance to the TWDB under one or more programs for which it would be eligible to receive funding, including particularly the Clean Water State Revolving Fund;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BAY CITY, TEXAS, THAT:

Section 1. An application is hereby approved and authorized to be filed with the TWDB seeking financial assistance in an amount not to exceed \$36,400,000 to provide for eligible costs for improvements to and the equipment of the City's sanitary sewer system, including the design, construction, rehabilitation, replacement, and equipment of the City's wastewater treatment plant and lift stations and the costs of issuance related to the financial assistance.

Section 2. Shawna Burkhart, City Manager, and Scotty Jones, Finance Director, are hereby designated the authorized representatives of the City for purposes of furnishing such information, executing such documents, and making such appearances as may be required in connection with the preparation and filing of such application for financial assistance and with complying with the rules of the TWDB.

Section 3. The following firms and individuals are hereby authorized and directed to aid and assist in the preparation and submission of such application and appear on behalf of and represent the City before any hearings held by the TWDB on such application, to-wit:

Financial Advisor
James Gilley
U.S. Capital Advisors LLC
300 W. 6th Street, Suite 1900
Austin, TX 78701
512.813.1110

Bond Counsel
Jonathan K. Frels
Paige H. Abernathy
Bracewell LLP
711 Louisiana Street Suite 2300
Houston, TX 77002
713.221.1599

Engineer
Daniel N. Olson, P.E.
Garver, LLC
12141 Wickchester Lane
Suite 200
Houston, TX 77079
713.395.4277

PASSED AND APPROVED this 23rd day of June, 2020.

The Honorable Robert K. Nelson, Mayor,
City of Bay City, Texas

ATTEST:

Jeanna Thompson, City Secretary
City of Bay City, Texas

[SEAL]

RESOLUTION NO. R-2020-_____

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BAY CITY, TEXAS
EXPRESSING INTENT TO FINANCE EXPENDITURES TO BE INCURRED; AND
APPROVING OTHER MATTERS INCIDENTAL THERETO

THE STATE OF TEXAS §
COUNTY OF MATAGORDA §
CITY OF BAY CITY §

WHEREAS, the City of Bay City, Texas (the “City”) is a political subdivision of the State of Texas authorized to finance its activities by issuing obligations; and

WHEREAS, the City desires to authorize preparations for the issuance of one or more series of obligations for authorized public purposes; and

WHEREAS, the City will make, or has made, not more than 60 days prior to the date hereof, payments with respect to the projects listed on **Exhibit A** attached hereto (the “Financed Projects”); and

WHEREAS, in certain circumstances, federal and/or state law requires that the City express its official intent to issue obligations to reimburse itself for expenditures paid prior to the issuance of such obligations in order for such expenditures to be eligible for reimbursement from proceeds of such obligations; and

WHEREAS, the City desires to reimburse itself for the costs associated with the Financed Projects from the proceeds of tax notes or other obligations to be issued subsequent to the date hereof; and

WHEREAS, Section 1.150-2(d)(2) of the Treasury Regulations sets forth limitations regarding the timing of reimbursements made from the proceeds of certain tax-exempt obligations;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BAY CITY, TEXAS THAT:

Section 1. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes and as findings of fact.

Section 2. The City reasonably expects to reimburse itself for costs that have been or will be paid subsequent to the date that is 60 days prior to the date hereof and that are to be paid in connection with the Financed Projects from the proceeds of certificates of obligation or other obligations to be issued subsequent to the date hereof, including obligations issued in connection with the financial assistance programs of the Texas Water Development Board.

Section 4. The City reasonably expects that the maximum principal amount of obligations issued to reimburse the City for the costs associated with the Financed Projects will be \$56,730,000. Such obligations may be issued in one or more series.

Section 5. Unless otherwise advised by bond counsel, any reimbursement allocation will be made not later than 18 months after the later of (1) the date the original expenditure is paid or (2) the date on which the Financed Project to which the expenditure relates is placed in service or abandoned, but in no event more than three years after the original expenditure is paid.

[Execution Page to Follow]

PASSED AND APPROVED this 23rd day of June, 2020.

The Honorable Robert K. Nelson, Mayor,
City of Bay City, Texas

ATTEST:

Jeanna Thompson, City Secretary
City of Bay City, Texas

[SEAL]

EXHIBIT A

DESCRIPTION OF THE FINANCED PROJECTS

<u>Purpose/Project</u>	<u>Amount</u>
Improvements to and the equipment of the City’s sanitary sewer system, including (i) the design, construction, rehabilitation, replacement, and equipment of the City’s wastewater treatment plant and lift stations, and (ii) the design, construction, rehabilitation and equipment of sewer lines.	\$36,400,000
Improvements to and the equipment of the City’s water system, including (i) the design, construction, and equipment of two water plants, including water wells, ground storage tanks, hydropneumatic tanks, booster pump stations, disinfection equipment, and related infrastructure and equipment, (ii) the design, construction, and equipment of water transmission lines, (ii) design, construction, rehabilitation, replacement, and equipment of water lines and other water infrastructure, (iv) meter replacements, and (v) design, construction, rehabilitation, replacement, and equipment of existing water treatment plants and related infrastructure.	\$20,330,000



CITY OF BAY CITY
1901 FIFTH STREET
BAY CITY, TEXAS 77414
(979) 245-2137
FAX: (979) 323-1626

AGENDA ITEM SUBMISSION FORM

Any item(s) to be considered for action by the City Council, must be included on this form, and be submitted along with any supporting documentation. Completed Agenda Item Submission forms must be submitted to the City Secretary's Office no later than 4:00 p.m. on the Monday of the week prior to the Regular Council meeting.

Requestor Name: Calhoun, Barry **Date Submitted:** 06/18/2020
Last, First *MM/DD/YYYY*

Requestor Type: City Staff **Meeting Date:** 06/23/2020
Citizen/City Staff/Council Member *MM/DD/YYYY*

Position Title Director of Public Works
For City Staff Only

Agenda Location: Resolution
(e.g.: Consent Agenda/ Discussion Item/ Public Hearing/ Executive Session/ Presentation)

Agenda Content:

DISCUSS, CONSIDER, AND/OR ADOPT A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BAY CITY, TEXAS EXPRESSING INTENT TO FINANCE EXPENDITURES TO BE INCURRED; AND APPROVING OTHER MATTERS INCIDENTAL THERETO.

Executive Summary of Item:

The City of Bay City will be submitting an application to the Texas Water Development Board (TWDB) to assist with obtaining funding in an effort to make critical improvements to the City's water and wastewater systems. These improvements will include upgrades to our existing water plants, wastewater treatment plant, water distribution system and wastewater collection system. It will also include planning for two new water plants.

The Public Works Department along with Garver Engineering has been working together to analyze the total efficiency of the City's water and wastewater systems to determine what improvements are necessary. Once the assessment and collecting of all the necessary supporting documentation is complete, we will proceed with submitting the application to the TWDB for approval of funds.

This resolution to maximize the potential cost that would be eligible for reimbursement from a federal tax law standpoint. It is staff's recommendation to adopt this resolution so the City can move forward with submitting an application to the TWDB.